

Exhibit 17

1 IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF OHIO
2 EASTERN DIVISION

3 IN RE: NATIONAL : HON. DAN A.
 PRESCRIPTION OPIATE : POLSTER
4 LITIGATION : MDL NO. 2804

5 This document relates to: : Case No. 17-MD-2804

6 The County of Summit, Ohio :
Ohio et al. v. Purdue Pharma :
7 L.P., et al., Case No. :
17-OP-45004 :

9 The County of Cuyahoga v. :
Purdue Pharma Purdue Pharma :
L.P., et al., Case No. :
10 18-OP-45090 :

11 - - -
12 - HIGHLY CONFIDENTIAL -
SUBJECT TO FURTHER CONFIDENTIALITY REVIEW

VOLUME I

14 - - -
May 9, 2019

16 Videotaped deposition of
CRAIG J. McCANN, Ph.D., CFA, taken
17 pursuant to notice, was held at the law
offices of Morgan Lewis & Bockius, LLP,
18 1111 Pennsylvania Avenue, NW, Washington,
D.C., beginning at 10:03 a.m., on the
19 above date, before Michelle L. Gray, a
Registered Professional Reporter,
20 Certified Shorthand Reporter, Certified
Realtime Reporter, and Notary Public.

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Testimony of:

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CRAIG J. McCANN, Ph.D., CFA

6
7 By Ms. McEnroe 16
8 By Mr. Eppich 253
9 By Mr. Boehm 323
10
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12 - - -
E X H I B I T S
13
14 - - -

15	NO.	DESCRIPTION	PAGE
16	McCann-1	Notice of Videotaped Deposition	17
17			
18	McCann-2	Banker Box Initial Report	23
19		1-11 Appendices Supplemental Report	
20		A through F Appendices Second Supplemental	
21		Report Appendices 1 and 2	
22		& Attachment	
23			
24			

1 that we would source ourselves during our
2 work, researching the data that we
3 receive. So just take for an example, D,
4 E, F, G, H, those are all examples, as we
5 were -- and B and C, these are all items
6 that as we were developing the data last
7 summer, we sourced without asking for it
8 from the plaintiffs' counsel or the
9 plaintiffs' counsel providing it to us
10 without us asking for it, which were the
11 two possibilities your question covered.

12 Q. Thank you. So was there
13 anything that you asked for in forming
14 your opinions that plaintiffs' counsel
15 did not give you?

16 A. No, not that I can think of.

17 Q. Let's take a quick look on
18 Page 4 of your initial report. Paragraph
19 13, under heading "Summary of Opinions."

20 Do you see where I am?

21 A. Yes.

22 Q. Paragraph 13 says, "Based
23 upon my comparison of the ARCOS data
24 produced by the DEA and the public ARCOS

1 retail drug summary reports, I conclude
2 that, after correcting a relatively small
3 number of records, the ARCOS data
4 produced by the DEA is reliable."

5 Did I read that correctly?

6 A. Yes.

7 Q. And then if we go ahead to
8 Paragraph 17, still under "Summary of
9 Opinions," the first sentence there says,
10 "I conclude from my review of the ARCOS
11 data, the retail drug summary reports,
12 and transaction data produced in
13 discovery by the defendants, that the
14 ARCOS data is reliable."

15 Did I read that accurately?

16 A. Yes.

17 Q. And then that paragraph
18 continues, correct?

19 A. Yes.

20 Q. So is it fair to say that
21 you are of the opinion that the ARCOS
22 data is generally reliable?

23 THE WITNESS: Bless you.

24 Yes, with the qualification

1 that I make throughout the report,
2 that is my opinion.

3 BY MS. McENROE:

4 Q. An in -- at, like, a
5 30,000-foot level, the sort of first half
6 of your report is largely taking
7 transactional data that defendants have
8 produced in this litigation, comparing it
9 to the ARCOS data to help you form that
10 opinion that ARCOS data is reliable?

11 I'm not trying to make this
12 one a trick question. If you want to
13 describe it a different way, go ahead.

14 A. I would -- I would just add
15 to that a comparison with the retail drug
16 summary reports, which is what we looked
17 at on Paragraph 13. But if you add
18 comparing the ARCOS data that we received
19 from the DEA, the retail drug summary
20 reports, and the defendant transaction
21 data, comparing those three views of what
22 should be the same underlying data, we
23 think that at least those three views are
24 consistent, is how I would describe it.

1 something on the DEA's end of storing
2 those data?

3 A. No, I tried to make that
4 clear earlier. I do not -- I can't
5 distinguish between those two.

6 Q. You don't know. But in any
7 event, you are not suggesting that with
8 respect to the transactions you're
9 referring to now that they were in some
10 way withheld from the DEA, correct?

11 A. No. If anything, the
12 opposite.

13 Q. Now, going back to the
14 portion of your report where you say that
15 Cardinal's reporting had nearly perfect
16 overlap --

17 A. Yes.

18 Q. -- with what you found in
19 the ARCOS database.

20 You remember that, right?

21 A. Correct.

22 Q. And indeed, you said in your
23 report that over 99.9 percent of
24 Cardinal's transactional data was a match

1 with what you found in the DEA's ARCOS

2 database. Do you remember that?

3 A. I'm sorry, could you refer
4 me to the page and paragraph, please?

5 Q. Sure. Happy to.

6 If you look at Page 32, you
7 have a table. I believe it's Table 14?

8 A. Yes.

9 Q. And you have in this table
10 identified several distributors, correct?

11 A. Correct.

12 Q. And the first one you list
13 is Cardinal Health.

14 Do you see that?

15 A. Yes.

16 Q. And in that first set of
17 columns, you've written transactions that
18 are in both datasets.

19 Do you see that?

20 A. Yes.

21 Q. And I understand that to
22 mean that you're trying to calculate a
23 percentage of transactional data that
24 matches up perfectly with what you find

1 in ARCOS, right?

2 A. Correct.

3 Q. And in the case of Cardinal
4 Health, you determined that 99.9 percent
5 of the transactional data matched up
6 perfectly with what you found in ARCOS,
7 right?

8 A. After excluding the known
9 non-overlaps, just as it says in the
10 title, that's correct.

11 Q. Is it typical for you, when
12 you're reviewing very large datasets and
13 comparing maybe kind of corresponding
14 large datasets, to find small
15 discrepancies here and there?

16 A. Yes.

17 Q. Now, as I understand it, and
18 please do correct me if I've
19 misunderstood something, the ARCOS data
20 that you used for purposes of your
21 analyses as -- as set forth in your
22 report covered January 2006 through
23 December 2014; is that right?

24 A. Yes.